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OFFICE OF PETITIONS

In re Application of
Gerhard J. Haas
Application No. 10/046,897
Filed: January 17, 2002
Attorney Docket No.

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 18, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 18, 2003, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance or a Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)). Since the amendments submitted do not *prima facie* placing the application in condition for allowance, no Notice of Appeal (and appeal fee) was timely filed, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on July 9, 2003.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.


Wan Laymon

Petitions Examiner
Office of Petitions
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for Patent Examination Policy